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|--|------------------------|---------------------|
| <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b><br><br>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.<br>See The American Inventors Protection Act of 1999 (AIPA). | Application Number     | 09/391,772          |
|  | Filing Date            | September 8, 1999   |
|  | First Named Inventor   | Walter V. Dixon III |
|  | Group Art Unit         | 3624                |
|  | Examiner Name          | Ella Colbert        |
|  | Attorney Docket Number | RD-27,422           |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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|------|--|
| 1.   | Submission required under 37 C.F.R. § 1.114  |
| a.   | <input checked="" type="checkbox"/> Previously submitted   |
| i.   | <input checked="" type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 28, 2003<br>(Any unentered amendment(s) referred to above will be entered).  |
| ii.  | <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____   |
| iii. | <input type="checkbox"/> Other _____   |
| b.   | <input checked="" type="checkbox"/> Enclosed   |
| i.   | <input type="checkbox"/> Amendment/Reply   |
| ii.  | <input type="checkbox"/> Affidavit(s)/Declaration(s)   |
| iii. | <input type="checkbox"/> Information Disclosure Statement (IDS)  |
| iv.  | <input checked="" type="checkbox"/> Other <u>Substitute Specification (marked-up version); Substitute Specification (clean version); Express Mail Certificate; Return Post Card</u>  |
| 2.   | Miscellaneous  |
| a.   | <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required) |
| b.   | <input type="checkbox"/> Other _____   |
| 3.   | Fees   |
|      | The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.  |
| a.   | <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 01-2384  |
| i.   | <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) \$750   |
| ii.  | <input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$410  |
| iii. | <input type="checkbox"/> Other _____   |
| b.   | <input type="checkbox"/> Check in the amount of \$ _____ enclosed  |
| c.   | <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |               |
|-------------------|---|-----------------------------------|---------------|
| Name (Print/Type) | Daniel M. Fitzgerald  | Registration No. (Attorney/Agent) | 38,880        |
| Signature         |  | Date:                             | June 27, 2003 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and trademark Office on: |  |      |  |
| Name (Print/Type)   |  |      |  |
| Signature   |  | Date |  |

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